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Attorneys for Plaintiff/Judgment Creditor  
Wynn Resorts Holding, LLC

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

WYNN RESORTS HOLDINGS, LLC, a Nevada  
Limited Liability Company,

Plaintiff,

v.

SPIRAL MATRIX, an entity of unknown origin,

Defendant.

Case No. 2:06-cv-01282-LDG-RJJ

**AFFIDAVIT OF RENEWAL OF  
JUDGMENT**

STATE OF NEVADA            )  
  ) ss.  
COUNTY OF CLARK         )

Plaintiff/Judgment Creditor WYNN RESORTS HOLDINGS, LLC, by and through Mary Ann Nicholson, its authorized representative, and pursuant to NRS 17.214, first being duly sworn according to law, hereby submits this Affidavit of Renewal of Judgment against Defendant/Judgment Debtor Spiral Matrix ("Judgment Debtor").

1. I am the Director of Litigation and Claims Administration for Wynn Resorts Holdings, LLC, the Plaintiff/Judgment Creditor in the above-entitled action. I have personal knowledge of the facts contained in this affidavit and if called to do so, would testify competently thereto.

2. The Judgment was originally recorded in Clark County, Nevada on February 22, 2013, instrument number 201302220000210.

1           3.       The Judgment being renewed was initially entered in this Court, on March 13,  
2 2007, for a total amount of \$105,782.45. *See* Default Judgment attached hereto as Exhibit "A".

3           4.       Neither Judgment Debtor nor anyone on its behalf has made any payments to  
4 satisfy any part of the Judgment. There are no outstanding writs of execution for enforcement of  
5 the Judgment.

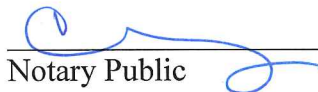
6           5.       There are no offsets or counterclaims in favor of the Judgment Debtor.

7           6.       The current amount due and owing to date on the Judgment is \$105,782.45.

8       FURTHER, AFFIANT SAYETH NAUGHT.

9  
10   
11 MARY ANN NICHOLSON

12 Subscribed and sworn before me  
13 this 1 day of March, 2013.

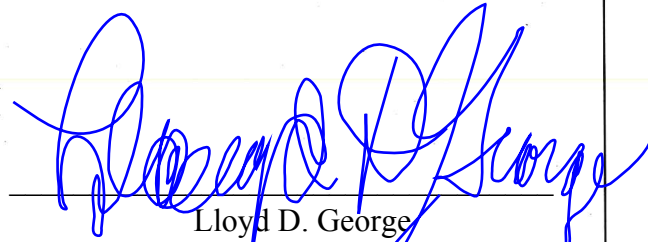
14   
15 Notary Public



ORDER

IT IS SO ORDERED that the within Default Judgment is renewed.

DATED this 13 day of March, 2013.

  
Lloyd D. George  
Sr. U.S. District Judge

# **EXHIBIT A**

# **EXHIBIT A**

Mark G. Tratos (Bar No. 1086)  
 Ronald D. Green Jr. (Bar No. 7360)  
 Laraine M. I. Burrell (Bar No. 8771)  
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Counsel for Plaintiff

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

Wynn Resorts Holdings, LLC, a Nevada  
 Limited Liability Company,

Plaintiff,

v.

Spiral Matrix, an entity of unknown origin,  
 Defendant.

Case No. CV-S-06-1282-LDG-RJJ

**DEFAULT JUDGMENT**

Plaintiff Wynn Resorts Holdings, LLC, having filed a Motion for Entry of Default Judgment against Defendant Spiral Matrix pursuant to Rule 55 of the Federal Rules of Civil Procedure; the Defendant having failed to respond to, or answer, Plaintiff's Complaint previously served upon Defendant; the Clerk of the Court having entered Default against Defendant on Spiral Matrix; this Court having now given due consideration to Plaintiff's Motion for such judgment as well as papers, pleadings, and exhibits offered in support thereof; and the Court being further fully advised in the matter and there having been no appearance made by Defendant, it is therefore,

ORDERED, ADJUDGED and DECREED that Judgment be entered in favor of Plaintiff Wynn Resorts Holdings, LLC, and against Defendant Spiral Matrix, on all counts of Plaintiff's Complaint; and, it is further ordered and adjudged that said Judgment shall

1 include the following specific findings of fact and award of specific relief:

- 2 a. Plaintiff Wynn Resorts Holdings, LLC is the owner of certain Wynn
- 3 trademarks and variations thereof used in relation to casino services as
- 4 identified in the Complaint;
- 5 b. Plaintiff Wynn Resorts Holdings, LLC's Wynn marks are famous;
- 6 c. Defendant registered and used the Infringing Domain Names
- 7 <wynnresoet.com> and <wynnhotellasvegas.net> with the bad faith intent to
- 8 profit from its use of Plaintiff's marks;
- 9 d. Defendant provided links to online casino services and hotel and travel
- 10 reservations which were accessible through Defendant's Infringing Domain
- 11 Names at <wynnresoet.com> and <wynnhotellasvegas.net>.
- 12 e. Plaintiff and Defendant are competitors and the respective services offered by
- 13 each are similar;
- 14 f. Defendant's use of the term Wynn in connection with its services is likely to
- 15 cause confusion as to the source and origin of Defendant's services;
- 16 g. Defendant's use of the term Wynn in connection with its services has and is
- 17 likely to continue to cause dilution of Plaintiff Wynn Resorts Holdings, LLC's
- 18 Wynn marks;
- 19 h. Should Defendant's use of the term Wynn continue, Plaintiff will continue to
- 20 suffer irreparable injury to its good will and reputation which was established
- 21 through use of the Wynn marks and for which an award of damages would be
- 22 inadequate.
- 23 i. Should Defendant's use of the term Wynn continue, Plaintiff will continue to
- 24 suffer irreparable injury as the Wynn marks will lose their capacity to identify
- 25 its goods and services; i.e., they will be diluted, for which an award of
- 26 damages would be inadequate;
- 27 j. Defendant acted willfully in its infringement and dilution of the Wynn marks;
- 28 and

1 k. Defendant is liable for its infringement, dilution, unfair competition and  
2 cybersquatting.

3 THEREFORE, IT IS HEREBY ORDERED that the Defendant Spiral Matrix, its  
4 respective officers, agents, servants, employees, and/or all persons acting in concert or  
5 participation with it, (1) from using Plaintiff's trademarks or confusingly similar variations  
6 thereof, alone or in combination with any other letters, words, letter strings, phrases or  
7 designs, in commerce or in connection with any business or for any other purpose  
8 (including, but not limited to, on web sites and in domain names); and (2) from registering,  
9 owning, leasing, selling or trafficking in any domain name containing Plaintiff's trademarks  
10 or confusingly similar variations thereof, alone or in combination with any other letters,  
11 words, phrases or designs;

12 IT IS FURTHER ORDERED that the current registrar of the <wynnresoet.com>  
13 and <wynnhotellasvegas.net> domain names shall immediately unlock and permanently  
14 transfer the <wynnresoet.com> and <wynnhotellasvegas.net> domain names to Plaintiff;

15 IT IS FURTHER ORDERED that Defendant is permanently enjoined from accepting  
16 bets, for money or not, from persons located in the United States or domiciled within or  
17 outside of the borders of the United States, from any online casino or Internet gaming site  
18 using a web site or domain name with any variation or letter string containing the Wynn  
19 marks;

20 IT IS FURTHER ORDERED that Defendant pay Plaintiff \$1,000 in nominal damages  
21 for corrective advertising;

22 IT IS FURTHER ORDERED that Defendant pay Plaintiff statutory damages of  
23 \$100,000 per domain name;

24 IT IS FURTHER ORDERED that Defendant pay Plaintiff's attorneys' fees and costs  
25 in the amount of \$4,782.45;

26 IT IS FURTHER ORDERED that Plaintiff's cash deposit of Two Hundred Dollars  
27 (\$200.00) be released from the Registry Account of this Court and returned to Greenberg  
28 Traurig.

1 IT IS FURTHER ORDERED that jurisdiction of this case shall be retained by this  
2 Court for the purpose of enforcement of this Judgment.

3  
4   
UNITED STATES DISTRICT JUDGE

5 DATED: 9 Mar 2007

6 Submitted by:

7   
GREENBERG TRAURIG, LLP

8 Mark G. Tratos (Bar No. 1086)  
9 Ronald D. Green Jr. (Bar No. 7360)  
10 Laraine M. I. Burrell (Bar No. 8771)  
11 Andrew D. Sedlock (Bar No. 9183)  
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14 Counsel for Plaintiff  
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